

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SHAWN CONLEY,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 06-7
)	Chief Judge Ambrose
JEFFERY BEARD, <i>et al.</i> ,)	Magistrate Judge Caiazza
)	In Re: Docs.9,10
)	
Respondents.)	

MEMORANDUM ORDER

Shawn Conley's Petition for Writ of Habeas Corpus was received by the Clerk of Court on January 4, 2006, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on October 16, 2006, recommended that recommended that the Petition for Writ of Habeas Corpus filed by Shawn Conley because it it time barred.

The parties were allowed ten days from the date of service to file objections. Service was made on the Petitioner by First Class United States Mail delivered to the State Correctional Intuition at Dallas, Dallas, Pennsylvania, where he is incarcerated and on the Defendant. No Objections have been filed.

After review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 21st day of Nov., 2006,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus filed by Shawn Conley is dismissed.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 16), dated October 16, 2006, is adopted as the opinion of the court.

This case is closed.

Donetta W. Ambrose

Donetta W. Ambrose
Chief U.S. District Court Judge

cc:
SHAWN CONLEY, CW-6224
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Ron Wabby- Asst. D.A.